



OFFICE OF THE MAYOR  
JAMES R. BARBERIO

September 27, 2024

**Mayor James R. Barberio's Statement on Joining Litigation to Address the  
Constitutionality and/or Validity Of New Jersey's Affordable Housing  
Mandates**

At the September 25, 2024 Township Council Meeting, I asked for a resolution to authorize the participation in litigation to address the constitutionality and/or validity of New Jersey's Affordable Housing Mandates, and I am proud that our bipartisan Township Council unanimously agreed.

We are joining a growing bipartisan coalition of towns from all over the State, who are speaking out against the unnecessary strain of the disproportionate, unfunded affordable housing mandate to fight for our residents and for our future.

We are very much in favor of adding affordable housing but it needs to be implemented in a sensible, fair, and balanced way. The current law only benefits developers. It imposes excessive mandates on municipalities without fully considering local conditions and resources or ways to help address the costs associated with the development. As it stands, our taxpayers have to cover all of the costs for the entire building of additional infrastructure, impacts to schools, to police and public safety, etc.

We celebrate our diversity and economic diversity here in Parsippany. I grew up in the Colonial Heights Apartments and I am a product of moderate-income housing. I cherished my time there and it is where my love for this great town grew. There is this notion that only "affluent, suburban towns" or "ultra-wealthy communities" are against the State's affordable housing mandate, and those communities want to keep out the poor. That is not Parsippany. We are joining this lawsuit to fight for fairness across all municipalities and ensure the costs of new developments are not placed on the backs of our residents.

It is patently unfair that there are over 60 Urban Aid Communities exempt from sharing in the responsibility of constructing affordable housing, in turn shifting the obligation and adding unrealistic expectations to communities like ours. Parsippany has nearly 7,000 units, the majority at low and moderate levels, and we remain committed to fostering responsible residential development in our community, but we are confronted with the practical reality of the effects of overwhelming overdevelopment.

We very much respect the good and hard work of Fair Share Housing and those at the state level. We are not disputing the value and need for affordable housing. There is no doubt we are experiencing a housing affordability crisis in New Jersey. There are ways to produce affordable housing that do not create the problems and consequences that this law creates. The law needs to be more thoughtful and include those at the local level. The State's affordable housing mandate does not address the costs and who is paying. There are ways to produce affordable housing that do not place developers needs first.

It is critical that our voice as a Township is heard. I hope that joining this litigation empowers the state to take a deep breath and a step back, and provides the opportunity to get all of the important stakeholders at the table, including local municipal leaders, to craft guidelines that will be effective and efficient at meeting our state's affordable housing needs.

The cost to local taxpayers needs to be taken into account. The impact on infrastructure must be kept in mind. The unintended consequences of overdevelopment must be well-thought-out and accounted for with the interests of local communities placed over developers and special interests.

Affordable housing mandates from the state should start with creating an avenue to keep Parsippany residents in Parsippany, and not forcing them to move out of state because they cannot afford NJ after retirement. It should continue with ensuring that affordable housing obligations are shared fairly and proportionately between all New Jersey municipalities, not exempting over 60 municipalities from the mandate. It should end with ensuring that there is clear consideration addressing the infrastructure, public safety costs, and school impacts that will be created. The current affordable housing mandate is unsuitable for Parsippany, unfair and overly burdensome for municipalities. Put simply, the statehouse needs a better plan that prioritizes communities over developers.

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